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Trinity River Restoration Project		
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TRINITY RIVER RESTORATION PROGRAM		
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152		
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May 20, 2003

Trinity River Restoration Program  
 P.O. Box 1300,  
 Weaverville, CA 96093

RE: Draft EA/EIR Trinity River Bridges Project  
 Salt Flat Bridge--Comment Number Four

Gentlemen:

Does the California Department of Fish and Game's grant for construction of the new bridge carry the hold harmless conditions that thwarted the project to construct stream barbs in the South Fork of Trinity River in Hyampom last October?

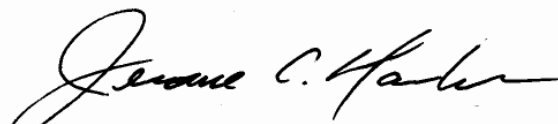
a.

In that instance the private property owners benefiting from the project did not wish, or could not afford, to bear the responsibility for the potential liabilities from environmental litigation, contract violations, or liability to third parties.

b.

Are there similar hold harmless clauses in any of the funding sources for this bridge?

Sincerely yours,



Jerome C. Hauke

cc: Arnold Whitridge, Chairman, TAMWG

## **RESPONSE TO COMMENT: 40**

### **Jerome C. Hauke**

40-a: The Department of Fish and Game grants for construction of the Salt Flat and Biggers Road bridges (P0010326 and P0210410, respectively) do not contain a hold harmless clause. The hold harmless clause contained in the proposed Agreement between the County of Trinity and the Schneiders for a streambank protection project was a requirement of the County of Trinity, not the California Department of Fish and Game. The Schneiders decided not to accept the conditions placed upon the project in exchange for the County of Trinity's sponsorship of the project.

40-b: Thank you for your comment. Your comment has been noted, and will be transmitted to the Planning Commission, the Board of Supervisors, and federal officials for their consideration in connection with the merits of the proposed project. No further response is required.